

Presidential Proclamation Suspending the Entry of Immigrants and Nonimmigrants Who Present a Risk to the United States Labor Market During the Economic Recovery Following the 2019 Novel Coronavirus Outbreak

- On June 22, the President signed a Proclamation which extends the previous Proclamation 10014 and suspends the entry of certain additional foreign nationals to the United States through December 31, 2020. The Department of State is committed to implementing this Proclamation in an orderly fashion in conjunction with the Department of Homeland Security and interagency partners, and in accordance with all applicable laws and regulations.
- The extension of Proclamation 10014 is effective immediately. The new provisions of this proclamation are effective at 12:01 a.m. eastern daylight time on June 24, 2020. This proclamation does not apply to persons who already hold a U.S. visa issued prior to 12:01 a.m. eastern daylight time on June 24, 2020.
- Under the Proclamation, the Department of State temporarily will continue not to issue certain categories of immigrant visas (continuing PP10014), as well as not issue H-1B, H-2B, L, and certain J nonimmigrant visas, and their derivative visa categories for family members, apart from certain exceptions as laid out in the Proclamation itself. (Note: H-4 derivatives associated with H-2A and H-3 principal applications may still be issued.)
- The Proclamation is not retroactive. No valid visas will be revoked under this Proclamation. For questions regarding entry into the United States, we refer you to the Department of Homeland Security.
- Due to precautions and limited resources related to the COVID-19 pandemic, routine visa processing at U.S. Embassies and Consulates worldwide remains suspended, though the Department is continually evaluating the presence of conditions necessary to resume.

Q&As

Q. What are the exceptions to this Presidential Proclamation? Are Lawful Permanent Residents excepted?

Yes. We refer you to the full text of Proclamation 10014 (<https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-immigrants-present-risk-u-s-labor-market-economic-recovery-following-covid-19-outbreak/>) and this new proclamation which extends those provisions and includes additional provisions (<https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-aliens-present-risk-u-s-labor-market-following-coronavirus-outbreak/>).

Q. Which J visas are subject to the proclamation?

We refer you to the full text of the Proclamation: <https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-aliens-present-risk-u-s-labor-market-following-coronavirus-outbreak/>.

“Sec. 2. Suspension and Limitation on Entry. The entry into the United States of any alien seeking entry pursuant to any of the following nonimmigrant visas is hereby suspended and limited, subject to section 3 of this proclamation: [...] a J visa, to the extent the alien is participating in an intern, trainee, teacher, camp counselor, au pair, or summer work travel program, and any alien accompanying or following to join such alien...”

Q. Can visa holders who already have a valid H-1B, H-2B, L, or J nonimmigrant visa (or their family members who hold visas in a derivative visa category) still enter the U.S.?

The Proclamation is not retroactive. No valid visas will be revoked under this Proclamation. For questions regarding entry into the United States, we refer you to the Department of Homeland Security.

Q. What about the tourism industry, which depends heavily on seasonal labor provided through the J visa program?

We refer you to the text of the Proclamation: <https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-aliens-present-risk-u-s-labor-market-following-coronavirus-outbreak/>.

Q. What about physicians?

Physicians applying for a J visa are not subject to the proclamation.

Physicians who are seeking entry to the United States on an H1-B or L visa to provide medical care to individuals who have contracted COVID-19 and are currently hospitalized; or who are involved in the provision of medical research at United States facilities to help the United States combat COVID-19 may be considered for a national interest exception per Section 3 (iv) of the Presidential Proclamation.

We refer you to the text of the Proclamation: <https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-aliens-present-risk-u-s-labor-market-following-coronavirus-outbreak/>.

Q. Does this Proclamation alter the immigration status of foreign nationals currently in the U.S. on H-1B, H-2B, L, and J visas (and their family members who hold visas in a derivative visa category)?

We refer you to the Department of Homeland Security for questions regarding the status of foreign nationals present in the United States.

Q. Will current H-1B, H-2B, L and J visa holders (or their family members who hold visas in a derivative visa category) who are currently in the U.S. be able to extend their status?

We refer you to the Department of Homeland Security for questions regarding the status of foreign nationals present in the United States.

Q. What if a current H-1B, H-2B, L, or J visa holder (or their family member who holds a visa in a derivative visa category) is in the U.S. already, but their current visa will expire prior to December 31, 2020. Will they be able to renew the visa?

For questions about adjusting status or extending the authorized period of stay in the U.S., we refer you to U.S. Citizenship and Immigration Services.

A visa holder currently lawfully admitted to the United States does not need to renew the visa in order to remain. However, should an alien depart the United States, they would need a valid visa to return. The Department of State will not be issuing H-1B, H-2B, L, or certain J visas, and their derivative visa categories for family members, during the effective period of this proclamation unless an exception applies. (Note: H-4 derivatives associated with H-2A and H-3 principal applications may still be issued.)

Q. What about immigrant visas for adopted children? Spouses? SIVs? What are the exceptions?

As an extension Proclamation 10014, this proclamation also includes exceptions for, among others: lawful permanent residents; immigrants seeking to enter as a healthcare professional; spouses, children, and prospective adoptive children of U.S. citizens; and certain Special Immigrant Visa applicants. You may find a full list of exceptions in the Proclamation itself: <https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-aliens-present-risk-u-s-labor-market-following-coronavirus-outbreak/>.

Q. What about refugees?

Refugees and their follow-to-join family members in the U.S. Refugee Admissions Program do not travel to the United States with immigrant visas. The Proclamation also does not limit the ability of an individual to seek asylum, refugee status, withholding of removal, or protection under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, consistent with the laws of the United States. You may find a full list of exceptions in Proclamation 10014 and this new Proclamation: <https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-immigrants-present-risk-u-s-labor-market-economic-recovery-following-covid-19-outbreak/> and <https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-aliens-present-risk-u-s-labor-market-following-coronavirus-outbreak/>.

Q. Didn't the Department already suspend visa processing worldwide due to COVID? Will this even have any impact?

In response to significant worldwide challenges related to the COVID-19 pandemic, the Department of State has temporarily suspended routine visa services at all U.S. Embassies and Consulates. As resources allow, embassies and consulates worldwide are continuing to provide emergency and mission critical visa services.

Q. Was the Department aware of this Proclamation in advance? Were you consulted?

The Department of State, along with the Department of Homeland Security and other interagency partners, were consulted and provided input during the drafting of this Proclamation.

Q. What instructions have you provided to consular officers overseas on how to implement this?

Consular officers abroad are being provided operational guidance regarding how to implement this Proclamation. We do not comment on or release our internal operational guidance.

Q. If applicants can provide a test result showing they are negative for COVID, can they still enter the United States?

The Proclamation does not include an exception on the basis of negative test results. You may find a full list of the Proclamation's exceptions in the Proclamation itself: <https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-aliens-present-risk-u-s-labor-market-following-coronavirus-outbreak/>.

Q. Will this impact Diversity Visa applicants?

The Proclamation does not include an exception for Diversity Visa applicants.

If pressed on why the Department is still running the DV Entrant Status Check for DV-2021 applicants: The Diversity Visa program runs on a multi-year cycle; DV-2021 applicants will not be interviewed until FY2021. The Proclamation's restrictions will expire on December 31, 2020, unless extended by the President.

Q. Will this impact Americans trying to get home to the United States?

This Proclamation does not restrict travel by U.S. citizens or lawful permanent residents.